

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

OPINION AND ORDER

v.

15-cr-100-wmc

LEAN FADDEN,

Defendant.

During the court's final conference in advance of trial, defendant Leon Fadden continued to press his jurisdictional challenges to this criminal proceeding and complained that the court had yet to issue a decision on his motions to dismiss for lack of jurisdiction. As best at the court can discern from his filings and statements made during the final pretrial conference, Fadden contends that he has declared himself the executor of his estate, and because no one has claims against his estate, the court lacks jurisdiction.

The court already addressed Fadden's argument. In an opinion and order dated August 23, 2016, this court issued an order rejecting Fadden's argument for the same reasons articulated by the Seventh Circuit in *United States v. Benabe*, 654 F.3d 753 (7th Cir. 2011), and a legion of other cases. "Regardless of an individual's claimed status of descent, be it as a 'sovereign citizen,' a 'secured-party creditor,' or a 'flesh-and-blood-human being,' that person is not beyond the jurisdiction of the courts." *Id.* at 767.

Nevertheless, Mr. Fadden has preserved this challenge for purposes of appeal. Because this is an issue for the court alone, he may not present any argument based on

this court's lack of jurisdiction to the jury. To reiterate, the court rejects Fadden's jurisdictional challenge, and this issue has been fully resolved in advance of trial.

Entered this 21st day of October, 2016.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge